

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

Remarks/Arguments

Claims 1-20 are pending and stand rejected on varying grounds under §102(b) and 103(a).

No claims have been amended. A listing of claims has been provided strictly for the Examiner's convenience.

In view of the comments below, Applicant respectfully requests that the Examiner reconsider the present application including claims 1-20 and withdraw the rejection of these claims.

a) Applicant notes with appreciation that the Examiner has considered the art listed on and returned an initialed copy of form 1449.

b) Claims 1, 8 and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Eichstaedt et al (US Patent No. 6,218,958).

Claims 1, 8, and 16 are independent claims. These claims define in varying scope apparatus and methods directed to alerting a user of an incoming call on a separate wireless communication device. Generally the claims include a coupler for coupling an accessory unit to

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

a wristwatch, a wireless circuit arranged to receive information from the wireless device, and an alerting device to signal the user when a call is received by the communication device.

Eichstaedt et al. discusses a wristwatch with an integral tactile device that is used to notify the wearer of the wristwatch, via a tactile notification (pinching in FIG. 5 and rotation of a raised surface in FIG. 4), when a wireless signal is received where the signal indicates a call is being received on a cellular handset, etc. {abstract, etc.). While Eichstaedt et al appears to show or suggest a scheme for alerting a user with a properly configured notification device (wristwatch) of an incoming call on a separate cell phone, this reference does not show or suggest the claimed apparatus or method of alerting a user of such an incoming call.

Applicant is not per se claiming all such schemes, but rather only those as specifically defined by the claims. For example in one embodiment, Applicant's invention contemplates an accessory device 100 that is separate from a wristwatch but configured with a coupler mechanism (openings 110, 112, hooks 114, 210 all disposed on straps 106, 108) such as depicted in FIG. 1 – FIG. 3 that is suitable for coupling the accessory unit to a wristwatch. For example, with reference to FIG. 1 –FIG. 3, in one embodiment watch straps 312, 314 for a wristwatch 310 pass through the openings 110, 112 in the straps 106, 108 and these straps then fasten on the back side of the watch using the hooks 114, 210. The coupler thereby couples the accessory unit to the wristwatch. Note that the accessory unit includes an alerting device, e.g., in some embodiments a display 102 where this display is arranged to overlay the typical location of a watch display when the accessory unit is coupled to the wristwatch.

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

Applicant's invention advantageously does not require that a wristwatch with an integral alerting device, e.g., as suggested by Eichstaedt et al, be procured in order to enjoy the remote or extended alerting features nor does Applicant's invention force a user to forego the benefits of a favorite wristwatch. The claimed accessory unit is simply coupled to a user present wristwatch.

Eichstaedt et al does not show or suggest an accessory unit with a coupler configured to couple the accessory unit to a wristwatch as claimed. The Examiner maintains that FIG. 3, #46 shows such a coupler. However, FIG. 3 merely shows a human wrist 48 wearing a wristwatch 44 according to Eichstaedt et al where the wristwatch includes a band 46 to hold the watch to the wrist, col. 4, lines 38-40. This is not the claimed coupler as recited by claim 1 or claim 8 or coupling as recited by claim 16.

In view of the above discussion, clearly Eichstaedt et al. clearly does not show or suggest all features, specifically the claimed coupler of claim 1 or 8 or by analogous reasoning all features of claim 16 and thus Eichstaedt et al. does not support a §102(b) rejection of these claims. Therefore and at least in view of these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection of claims 1, 8 and 16 under 35 U.S.C. 102(b) as being anticipated by Eichstaedt et al (US Patent No. 6,218,958).

c) Claims 2-3, 6, 9-10, 13, 15, and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al in view of Valade et al (US Pub. No. 2002/0168990).

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

Claims 2-3, 6 are dependent on claim 1, claims 9-10, 13, and 15 are dependent on claim 8, and claim 18 is dependent on claim 16. Valade et al. does not show or suggest the features (coupler) that are missing from Eichstaedt et al and thus claims 1, 8, and 16 appear to be allowable over this combination of references. Thus at least by virtue of dependency, claims 2-3, 6, 9-10, 13, 15, and 18 should likewise be allowable over these references.

Furthermore, claim 2 and claim 9 recite an alerting device comprising a display that is located over a face of the wristwatch such the wristwatch face can be seen through the display all as claimed. Claim 3 and claim 10, respectively dependent on claims 2, 9, further define the arrangement of this display. The Examiner cites Valade et al [0020] as showing or suggesting this feature. Applicant respectfully disagrees as Valade et al does not mention any such display disposed and operable as claimed. Specifically, Valade et al. [0020] only speaks to an incoming event at a mobile terminal being notified at another terminal via a wireless interface and the various ways of notifying a user at the other terminal, including a visual message. Clearly Valade et al. does not show or suggest the claimed display as disposed and operational feature of claim 2 or 9 or claims 3, 10.

In view of one or more of the above reasons, clearly Eichstaedt et al. and Valade et al. taken alone or together do not show or suggest all features of claims 2-3, 6, 9-10, 13, 15, or 18 and thus Eichstaedt et al. and Valade et al. do not support a §103(a) rejection of these claims. Therefore and at least in view of these reasons, Applicant respectfully requests that the Examiner

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

reconsider and withdraw this rejection of claims 2-3, 6, 9-10, 13, 15, and 18 under 35 U.S.C. 102(b) based on Eichstaedt et al in view of Valade et al. (US Pub. No. 2002/0168990).

d) Claims 4 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al in view of Valade et al and further in view of Deo et al (US Pat. No.5,973,612).

Claims 4 and 11 are dependent, respectfully on claim 1 and 8 and further dependent on claim 2 and 9. Deo et al. alone or together with the other cited references does not show or suggest the features of independent claims 1 or 8 or dependent claims 2 or 9 and thus each of these claims appears to be allowable over this combination of references. Thus, at least by virtue of dependency on an allowable claim, claims 4 and 11 should also be deemed allowable.

In view of the above discussion, clearly Eichstaedt et al., Valade et al., and Deo et al taken alone or together do not show or suggest all features of claims 4 and 11 and thus Eichstaedt et al., Valade et al., and Deo et al. do not support a §103(a) rejection of these claims. Therefore and at least in view of these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection of claims 4 and 11 under 35 U.S.C. 103(a) based on Eichstaedt et al in view of Valade et al and further in view of Deo et al (US Pat. No.5,973,612).

e) Claims 5, 12 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al in view of Deo et al.

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

Claim 5 is dependent on claim 1, claim 12 is dependent on claim 8, and claim 19 is dependent on claim 16. Deo et al taken alone or together with Eichstaedt et al does not show or suggest all features of any of claims 1, 8, or 16 and thus at least by virtue of dependency these references do not show all features of claim 5, 12, or 19.

In view of the above discussion, clearly Eichstaedt and Deo et al taken alone or together do not show or suggest all features claims 5, 12 or 19 and thus Eichstaedt et al. and Doe et al. do not support a §103(a) rejection of these claims. Therefore and at least in view of these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection of claims 5, 12 and 19 under 35 U.S.C. 103(a) based on Eichstaedt et al in view of Deo et al.

f) Claims 7 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al in view of Lyon (US Pub. No. 2003/0103414).

Claim 7 is dependent on claim 1 and claim 14 is dependent on claim 8. Lyon discusses a wristwatch that is used as an authentication device for insuring that a user is an authenticated user of other services (abstract, page 1 summary). Lyon taken alone or together with Eichstaedt et al does not show or suggest the features of claim 1 or 8 and thus at least by virtue of dependency does not show the features of claim 7 or 14.

In view of the above discussion, clearly Eichstaedt et al. and Lyon taken alone or together do not show or suggest all features of claims 7 and 14 and thus Eichstaedt et al. and Lyon do not

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

support a §103(a) rejection of these claims. Therefore and at least in view of these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection of claims 7 and 14 under 35 U.S.C. 103(a) based on Eichstaedt et al in view of Lyon (US Pub. No. 2003/0103414).

g) Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al in view of Kanesaka et al (US Pat. No. 6,825,830).

Claim 20 is dependent on claim 16. Kanesaka et al whether taken alone or together with Eichstaedt et al does not show or suggest all features of claim 16 and thus claim 16 appears to be allowable over this combination of references. Therefore, claim 20 should likewise be deemed allowable. Furthermore, Kanesaka et al does not show or suggest the claimed providing a transparent display over a face of the wristwatch all as claimed. Kanesaka et al does appear to show a battery status and signal strength together with time, however nothing is said about the display and disposal thereof as specifically claimed.

In view of the above discussion, clearly Eichstaedt et al. and Kanesaka et al taken alone or together do not show or suggest all features of claim 20 and thus Eichstaedt et al. and Kanesaka et al do not support a §103(a) rejection of claim 20. Therefore and at least in view of these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection of claim 20 under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al in view of Kanesaka et al (US Pat. No. 6,825,830).

Appl. No. 10/621,480
Response dated April 17, 2006
Reply to Office Action of January 17, 2006

Accordingly, Applicant respectfully submits that the claims, as amended, clearly and patentably distinguish over the cited reference of record and as such are to be deemed allowable. Such allowance is hereby earnestly and respectfully solicited at an early date. If the Examiner has any suggestions or comments or questions, calls are welcomed at the phone number below.

Although it is not anticipated that any fees are due or payable as this response is being timely filed within the allowed 3 month time period and no other fees appear to be due or payable, the Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. 50-3435.

Respectfully submitted,

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